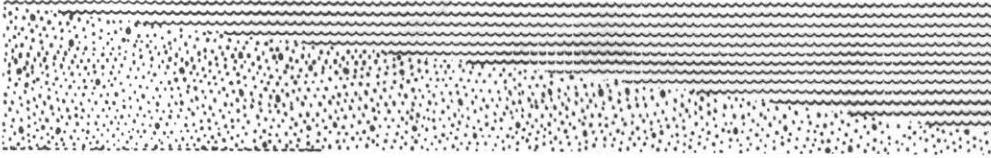


THE MARTHA'S VINEYARD COMMISSION


 BOX 1447 • OAK BLUFFS
 MASSACHUSETTS 02557
 (508) 693-3453
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Date: October 8, 1999
 To: Board of Selectmen, Town of Tisbury
 Building Inspector, Town of Tisbury
 Board of Health, Town of Tisbury
 From: Martha's Vineyard Commission
 Subject: Development of Regional Impact
 re: Modification of Previous Decision
 Applicant: Island Transport
 Post Office Box 1086
 Oak Bluffs, MA 02557

 Decision of the Martha's Vineyard Commission
Modification of Previous Decision

The Martha's Vineyard Commission, in Special Session, on Thursday, October 7, 1999, did take up the matter of its Decision made on September 23, 1999 to procedurally deny the Application of Island Transport, Post Office Box 1086, Oak Bluffs, MA 02557, for failure to submit a completed Application.

Charles W. Clifford, Executive Director of the Commission, explained that he had learned after the vote of the Martha's Vineyard Commission that there was a Court-sanctioned agreement signed between the Town and the Property Owner directing that the handicapped bathrooms be installed and ordering the Property Owner to apply for the proper permits. Since the Commission has no authority or jurisdiction to supersede the Courts, Mr. Clifford asked for a Modification to permit the Town/Property Owner to proceed with the permitting of the installation of the handicapped bathrooms.

The Martha's Vineyard Commission did vote to modify the Decision of the Martha's Vineyard Commission dated September 23, 1999 by adding the following wording to page 3 of said Decision:

Add a new paragraph following paragraph 2 of page 3 as follows:

The procedural denial without prejudice of this proposal shall not restrict the Town from issuing the necessary permits for the handicapped bathrooms in satisfaction of the Court decree in the Assented To Order On Preliminary Injunction, Town of Tisbury Board of Health vs. R.M. Packer Co. and Island Transport, Inc., C.A. No. 999-0016.

The current paragraph 3 of page 3 of the Decision shall now become paragraph 4 of said

page 3.

Chairman

Date

Notary

Date